

REMARKS

Claims 1, 2, 5-8, 10-14, 20, 22, 23 and 47 are now pending in the application. Claim 4 has been cancelled. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 103

Claims 1-2, 5, 10, 11 and 44 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Smith (U.S. Pat. No. 4,206,672) in view of Truan et al. (U.S. 2002/0104178). This rejection is respectfully traversed.

Claim 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Smith in view of Truan as applied to claim 5 above, and further in view of Sartori (U.S. Pat. No. 6,578,460). This rejection is respectfully traversed.

Claims 7, 8, 12-14, 20 and 45 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Smith view of Truan et al. as applied to claim 5 above, and further in view of Vogl et al. (U.S. Pat. No. 3,249,134). This rejection is respectfully traversed.

Claims 22, 23, 46 and 47 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Smith in view of Truan and Vogl. This rejection is respectfully traversed.

At the outset, Applicants note that claim 1 has been amended to include the features of claim 4 and should therefore be in condition for allowance, as indicated below. Claims 13 and 22 have each been amended as well. Claims 13 and 22 now each recite that the locking member is "coupled to the first and second side curtains

when in each of the engaged and disengaged positions.” Applicants note that these additional features are not taught or suggested by the cited references.

Further, Smith fails to teach any quick-release mechanism. Rather, the locking member 70 in Smith is a fixed pin. The Office Action merely appears to find the individual pieces of the claimed table saw and concludes that the claimed saw would be obvious. However, Smith appears to provide a teaching counter to modifications suggested in the Office Action. Smith states that “[t]he interior contours of the guard plate holder 72 are closely fitted to the exterior contours main guard member 56 to maintain a tight assembled relationship based upon a fastening solely by the pivot pin 70.” (col. 4, lines 28-32 – emphasis added). Therefore, Applicants submit that one skilled in the art would not modify Smith based on a quick-release mechanism for a bucket adapter as found in Truan.

Additionally, it is unclear how Smith would be modified to provide a quick-release mounting. Even if the pivot pin 70 were modified to some form of quick-release mechanism, the side curtains 66, 68 would not be removable from the guard plate holder 72. Specifically, the side curtains 66, 68 would still be fixed to the guard plate holder 72 by the cross-pin 78. It is unclear why one skilled in the art would want to modify the saw of Smith to have a quick-release mechanism that does not provide for removal of the side curtains.

Finally, Applicants note that the current rejection is merely conclusory in nature and is therefore inappropriate. “Rejections on obviousness cannot be sustained by merely conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness.” KSR Int'l

Co. v. Teleflex Inc. 82 USPQ2d 1385, 1396 (2007). In the present Office Action, there is no articulated reasoning and no rational underpinning to support the legal conclusion of obviousness. Rather, the rejection merely indicates that:

Smith doesn't show a quick-release mechanism having a locking member and a spring. However, Truan et al. teaches the use of a quick release mechanism 54 having a locking member 68 and a spring 56 for the purpose of quickly mounting the tool. It would have been obvious to one having ordinary skill in the art at the time of the invention to have modified the device of Smith by providing the quick release mechanism having the locking member and the spring as taught by Truan et al. in order to obtain a device that quickly mounts the tool.

Therefore, Applicants submit that the claims are in condition for allowance due to the improper conclusory nature of the rejection in addition to the reasons set forth above.

Claims 2, 5, 6, 8, 10-12 and 47 depend from claim 1, claims 14 and 20 depend from claim 13, and claim 23 depend from claim 22 and should be in condition for allowance for the reasons set forth above. Therefore, reconsideration and withdrawal of the rejection of claims 1, 2, 5-8, 10-14, 20, 22, 23 and 47 are respectfully requested.

ALLOWABLE SUBJECT MATTER

The Examiner states that claim 4 would be allowable if rewritten in independent form. Accordingly, Applicants have amended claim 1 to include the features of claim 4. Therefore, claim 1 should now be in condition for allowance.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is

believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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